

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ADAM RAFAEL,

Plaintiff,

-against-

DEAN TRANSPORTATION, INC.,
JUAN A. MOREL-RAMIREZ,

Defendants.

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BLOOM, United States Magistrate Judge:

The Court held an initial conference in this case on February 2, 2010, pursuant to Fed. R. Civ. P. 16. The conference was originally scheduled for January 21, 2010, but defendants' counsel failed to appear. Mr. Steven November appeared for plaintiff on that date (without having filed a notice of appearance) and consented to adjourn the conference to a later date. However, the Court told Mr. November that he must file a notice of appearance before any future conference. Mr. November appeared again at the February 2, 2010 conference without having filed a notice of appearance. He apologized to the Court and assured the Court that he would rectify this situation. According to the docket, plaintiff's attorney of record is Ms. Olga L. Nikishin; no other attorney has filed a notice of appearance. Ms. Nikishin has failed to appear at two conferences in this case.¹ This is unacceptable and clearly a disservice to plaintiff.

The Court shall hold a status conference on March 1, 2010 at 3:30 p.m. in Courtroom 11A. The Court hereby warns Ms. Nikishin that if another attorney appears at the conference on March

¹ The Court also notes that my chambers telephoned Ms. Nikishin prior to the January 21, 2010 conference to confirm that she was aware of the conference, as it appeared that she did not properly register for ECF. Ms. Nikishin stated that she was aware of the conference, but that she was referring the matter to another attorney. Chambers informed Ms. Nikishin that any attorney appearing in Court must electronically file a notice of appearance.

(m)

1, 2010 without having first filed a notice of appearance, the Court will impose sanctions on Ms. Nikishin pursuant to Fed. R. Civ. P. 16(f).

SO ORDERED.

LOIS BLOOM
United States Magistrate Judge

Dated: February 4, 2010
Brooklyn, New York

Cc: Olga L. Nikishin
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